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SUBSIDIARY BODY FOR IMPLEMENTATION
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REVIEW OF THE PROGRAMME OF WORK, 1996-1997

Note by the secretariat

1. The Conference of the Parties at its first session (COP 1) adopted a decision on the roles of the subsidiary bodies which included provision for the Subsidiary Body for Implementation (SBI) to consider a work plan at its first session (FCCC/CP/1995/7/Add.1, decision 6/CP.1, annex III). In that context, and with a view to facilitating the work of the SBI, the secretariat prepared a proposed programme of work, document FCCC/SBI/1995/2, which was considered and adopted by the SBI at its first session (FCCC/SBI/1995/5, decision 1/SBI.1).

2. By its decision 1/SBI.1, the SBI requested the secretariat to revise the scheduling of the programme of work in the light of the results of the first session of the Subsidiary Body for Scientific and Technological Advice (SBSTA). The SBI by that same decision decided to review the programme of work at the session immediately prior to the second session of the Conference of the Parties (COP 2).

3. The SBI, at its second session, took note of an information document prepared by the secretariat (FCCC/SBI/1996/2) containing the revisions to the programme of work made in the light of the conclusions of the SBSTA at its first session.

4. The SBI is invited to take note of the consolidated programme of work containing the revisions made to document FCCC/SBI/1995/2 and to adopt an agreed programme of work to guide its deliberations in the period up to COP 3.

Annex

SUBSIDIARY BODY FOR IMPLEMENTATION: REVISED PROGRAMME OF WORK

I. GENERAL ORIENTATION

5. The Conference of the Parties (COP), in its decision 6/CP.1* recalling Article 10 of the Convention, characterized the role of the Subsidiary Body for Implementation (SBI) as that of developing recommendations to assist the COP (a) in its review and assessment of the implementation of the Convention, and (b) in the preparation and implementation of its decisions. Decision 6/CP.1 also provides guidance on the tasks and functions of the SBI, its reporting to the COP, and the scheduling of its meetings.

6. Other COP 1 decisions also relevant to the programme of work of the SBI are as follows:

- Decision 2/CP.1 on the review of first communications from Parties included in Annex I to the Convention and decision 3/CP.1 on the preparation and submission of national communications from Parties included in Annex I to the Convention;

- Decision 4/CP.1 on methodological issues (including the allocation and control of international bunker fuels);

- Decision 5/CP.1 on activities implemented jointly under the pilot phase;

- Decision 8/CP.1 on first communications from Parties not included in Annex I to the Convention;

- Decision 9/CP.1 on the maintenance of the interim arrangements referred to in Article 21, paragraph 3, of the Convention; decision 10/CP.1 on arrangements between the COP and the operating entity or entities of the financial mechanism; decision 11/CP.1 on initial guidance on policies, programme priorities and eligibility criteria to the operating entity of the financial mechanism; decision 12/CP.1 on the report of the Global Environment Facility to the COP on the development of an operational strategy and on initial activities in the field of climate change and the decision of the COP relating to modalities for the functioning of operational linkages between the COP and the

* For decisions adopted by the Conference of the Parties at its first session, see document FCCC/CP/1996/7/Add.10.

operating entity or entities of the financial mechanism (FCCC/CP/1995/7, para. 81 and FCCC/CP/1995/7/Add.1, section III (a));

- Decision 13/CP.1 on transfer of technology;

- Decision 14/CP.1 on the institutional linkage of the Convention secretariat to the United Nations; decision 15/CP.1 on financial procedures; decision 17/CP.1 on the adoption of the Convention budget for the biennium 1996/1997; decision 18/CP.1 on other voluntary funding for the biennium 1996/1997; decision 19/CP.1 on extrabudgetary funding for the interim secretariat in 1995; decision 20/CP.1 on the establishment of a multilateral consultative process for the resolution of questions regarding the implementation of the Convention (Article 13); and decision 21/CP.1 on the date and venue of the second session of the COP and arrangements for the third session.

A. Schedule of sessions

7. The programme of work of the SBI is being carried out in the context of the following schedule of meetings, as proposed by the Bureau of the COP, taking account of decision 6/CP.1, paragraphs 8 and 9, the availability of conference services and the scheduling of COP 2 and COP 3. The current schedule will be kept under review by the Bureau of the COP.

First session: 31 August - 1 September 1995, Geneva

Second session: During the week 27 February - 8 March 1996, Geneva

Third session: During the period of COP 2, 8-19 July 1996, Geneva

Fourth session: During the week 24-28 February 1997, Bonn

Fifth session: During the fourth quarter in 1997 in conjunction with COP 3

7 bis. A further session of the SBI may be held during the third quarter of 1997.

II. ELEMENTS OF THE PROPOSED PROGRAMME OF WORK

A. Communications from Annex I Parties

Product or task

8. The SBI will provide advice to the COP on the basis of its consideration of the information communicated under Article 12 of the Convention. Such advice will focus on the policy aspects of the national communications, the in-depth review reports, and any compilation and synthesis of these, particularly aspects relating to the overall aggregated effect of the steps taken.

Mandate

9. The SBI will provide such advice pursuant to Article 10 of the Convention, decisions 2/CP.1 and 3/CP.1 on communications from Annex I Parties and decision 6/CP.1 on the roles of the subsidiary bodies.

Activities

10. The SBI has a standing agenda item on the communications from Annex I Parties under which documents are taken up in accordance with the review process schedule.

First session:	Consideration of status of national communication and review process
Second session:	Consideration of available in-depth review reports, of compilation and synthesis and of report on guidelines for the preparation of national communications from Annex I Parties
Third session:	Consideration of new in-depth review reports, of compilation and synthesis and finalization of report to COP 2
Fourth session:	Consideration of newly-available in-depth review reports
Fifth session:	Consideration of newly-available in-depth review reports and finalization of report to COP 3

B. Communications from Parties not included in Annex I to the Convention

Product or task

11. The SBI, with the SBSTA, will provide advice to the COP on matters relating to communications from Parties not included in Annex I to the Convention.

Mandate

12. The SBI will provide such advice pursuant to decision 8/CP.1 on communications from Parties not included in Annex I to the Convention.

Activities

13. At its third session, immediately preceding COP 2, the SBI could take up the issue of communications from Parties not included in Annex I to the Convention, in accordance with Article 10 of the Convention. A compilation of inputs from Parties on this subject will be available at the second session of the SBI. Liaison with the SBSTA would be important. The secretariat has prepared draft guidelines for consideration by the SBSTA at its second session, and it is envisaged that if the SBSTA should reach conclusions on the guidelines during that session, the SBI could take up its own discussions on the consideration of communications at its second session. If necessary a further discussion could take place at the third session of the SBI. This would enable proposals to be submitted to COP 2 in accordance with decision 8/CP.1 and thereby facilitate the preparation of these communications which will begin to come due as of 21 March 1997.

14. The SBI could be expected to have a role in implementing any decision of COP 2 relating to the consideration of these communications and to report accordingly to the COP. Such a role would take account of the function of the SBI to consider information communicated by all Parties under Article 12.1.

C. Allocation and control of emissions from international bunker fuels

Product or task

15. The SBI will provide advice to the COP on the allocation and control of emissions from international bunker fuels.

Mandate

16. The SBI will provide this advice pursuant to decision 4/CP.1 on methodological issues, paragraph 1 (f).

Activities

17. The SBI could, at a future session, consider what technical and other information it would need in order to make recommendations to the COP and to request such information from the SBSTA, and thereafter to consider different policy options for the allocation and control of emissions on the basis of the information provided by the SBSTA, Governments and relevant international organizations.

D. Matters relating to the financial mechanism

Product or task

18. The SBI will provide advice to the COP on policies, eligibility criteria and programme priorities relating to the financial mechanism and, on request, provide advice on the financial mechanism and on the reports of the operating entity or entities, and make recommendations related to the arrangements for the operational linkages between the COP and the operating entity or entities.

Mandate

19. The SBI will provide such advice pursuant to decision 6/CP.1 on the roles of the subsidiary bodies, annex I, paragraph 3 (a) and annex II and decision 10/CP.1 on arrangements between the COP and an operating entity or entities of the financial mechanism.

Activities

20. At its first session, the SBI will consider draft arrangements between the COP and the Global Environment Facility (GEF) prepared by the secretariat in consultation with the secretariat of the GEF and bearing in mind comments made at the eleventh session of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change. The SBI could take up this matter to the extent necessary at its second and third sessions so that draft arrangements could be recommended to COP 2 for adoption. An annex on the determination of funding necessary and available, in accordance with Article 11.3 (d) of the Convention has been prepared by the Convention secretariat and the secretariat of the GEF and will be considered by the SBI at its third session.

21. The SBI will also consider the reports from the operating entity of the financial mechanism. Depending on the time these reports become available, this could be envisaged for the third and fifth sessions of the SBI, resulting in advice to COP 2 and COP 3 respectively.

22. The SBI will also further elaborate the policies, programme priorities and eligibility criteria in accordance with requirements in this regard and make recommendations accordingly to the COP.

23. The SBI could also take up other matters relating to the financial mechanism as necessary so that this would be a standing item leading to regular reports to the COP. For example, the arrangements for the operational linkages between the COP and the operating entity or entities may require some attention, and general advice and recommendations on issues relating to the financial mechanism (for example, on the operational strategy) could be appropriate. The secretariat would provide regular updates on relevant activities, including its cooperation with the GEF secretariat.

E. Transfer of technology

Product or task

24. The SBI will provide advice to the COP on transfer of technology.

Mandate

25. The SBI will provide such advice pursuant to decision 6/CP.1, annex I, paragraph 3 (a).

Activities

26. In view of the above-mentioned mandate, the overall responsibility of the SBI to advise on the implementation of the Convention and the need to avoid duplication of work between the SBSTA and the SBI, both subsidiary bodies agreed at their first session that the SBI, rather than the SBSTA as provided for in decision 13/CP.1, should take up the following aspects of the reports relating to transfer of technology as requested from the secretariat by decision 13/CP.1:

(a) At its second session, the SBI would consider for the first time the itemized progress report on concrete measures taken by Parties included in Annex II to the Convention with respect to their commitments relating to the transfer of environmentally sound technologies and know-how; and

(b) The SBI would consider the aspect of the inventory of technologies report relating to the "terms of transfer".

F. Activities implemented jointly under the pilot phase

Product or task

27. The SBI, with the SBSTA and the assistance of the secretariat, will prepare a synthesis report on the information communicated by Parties relating to activities implemented jointly under the pilot phase. The SBI will also provide advice to the SBSTA on the development of a framework for reporting by Parties on activities implemented jointly.

Mandate

28. The SBI will act under the provisions of decision 5/CP.1, paragraph 2.

Activities

29. A framework for reporting on activities implemented jointly is to be established by the SBSTA in coordination with the SBI. It could be expected that the SBSTA would take the lead but would seek the advice of the SBI on a reporting framework. If such a request were received in time, it could be taken up at either the second or the third session of the SBI.

30. If the framework for reporting is adopted at COP 2, reports on activities implemented jointly would be available from Parties after COP 2. In such case, the SBI could take up issues surrounding the synthesis report at its fourth session and provide guidance to the secretariat. It could consider the first synthesis report at its fifth session, together with any conclusions of a scientific and technical nature that may be forwarded by the SBSTA. It would transmit the synthesis to COP 3 with any advice or recommendations that may be agreed.

G. Technical and financial support

Product or task

31. The SBI could provide advice to the COP and guidance to the secretariat on the technical cooperation activities of the secretariat and its partners.

Mandate

32. The SBI would provide this advice pursuant to the decision of COP 1 to periodically review this matter and provide guidance to the secretariat.

Activities

33. The SBI could review reports from the secretariat and provide advice to the COP. The first such report was considered at the second session of the SBI. Another report from the secretariat will be presented to the third session of the SBI prior to its consideration by COP 2.

H. Institutional and budgetary matters

Product or task

34. The SBI will provide advice to the COP on institutional and budgetary matters and interim guidance to the secretariat on such matters between sessions of the COP, as appropriate.

Mandate

35. The SBI will provide this advice under the general provisions of Article 10.1 and 10.2 (c). Moreover, decision 14/CP.1 requests the SBI, at its first session, to review the proposed arrangement for administrative support to the Convention secretariat on the basis of a report from the Executive Secretary.

Activities

36. The SBI, at its first session, will review the proposed arrangement for administrative support to the Convention secretariat on the basis of a report from the Executive Secretary pursuant to his consultations with the United Nations on the allotment of overhead to defray administrative expenses. It will take decisions on this matter so that the administrative arrangements may take effect from 1 January 1996. It could also review, at that and subsequent sessions, other institutional and budgetary matters as needed.

37. At subsequent sessions, the SBI will have the opportunity:

(a) To consider the report of the Executive Secretary to COP 2 on income and budget performance, including any proposals for adjustments to the Convention budget for 1996-1997, and provide advice to COP 2 (at the third session of the SBI); this practice could evolve into a regular report on the financial situation of the Convention institutions;

(b) To consider the proposed budget for the Convention for the biennium 1998/1999 and provide advice to COP 3 (at the fifth session of the SBI); and

(c) To consider other institutional and budgetary matters that may be referred to it or which may arise on an urgent basis and provide advice to the COP or interim guidance to the secretariat.

III. OTHER MATTERS

38. The SBI is to develop proposals on its longer-term activities and organizational arrangements, including any adjustments to the functions and/or allocation of work, and the scheduling and periodicity of sessions; these proposals are to be reported to COP 2 (see decision 6/CP.1). The SBI could have an initial discussion of these matters at its second session and complete its report to COP 2 at its third session.

39. The SBSTA is also requested to report on its work to COP 2. It will have to adopt, at its third session, a series of reports, decisions and/or recommendations relating to the various items on its work programme. To the extent that additional information needs to be passed to the COP, this may be done through a report from the Chairman.

40. The officers of the SBI and the SBSTA are invited to submit to COP 2, after due consultation with their respective bodies, proposals for future cooperation between the SBSTA and the SBI and the Intergovernmental Panel on Climate Change (IPCC) (decision 6/CP.1, para. 6). The SBI, after an initial exchange of views on this matter at its first session, decided that in order to avoid duplication of efforts cooperation between the subsidiary bodies and the IPCC should be addressed by the SBSTA without prejudice to paragraph 6 of decision 6/CP.1.

41. The programme of work will need to retain sufficient flexibility to allow the SBSTA to undertake additional activities, if requested by the COP or by the Ad Hoc Group on the Berlin Mandate.

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